

# HOUSE JOURNAL

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SEVENTY-SEVENTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

THIRTY-SECOND DAY — WEDNESDAY, MARCH 7, 2001

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 32).

Present — Mr. Speaker; Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Hilbert; Pitts.

Absent — Lewis, G.; Solomons.

The invocation was offered by Reverend Paul Thomasson, pastor, Coldspring United Methodist Church, Coldspring, as follows:

Dear Lord, be with our leaders this day. As important decisions are made, and as they struggle to set priorities and new goals, lead them. Oh Lord, you enable them to do so much. But there are so many choices. As life changing decisions are made for the young and the old, for people of all races, cultures, and income, bless them with your wisdom. Bless them with a spirit of discernment, and bless them with your spirit. Enable them to say what you would have them say. Help them, even when disagreeing, to disagree respectfully. Most of all, simply help them to do what you'd have them do. Show each one of us the way. Help us to know your will, and to do it.

This we ask in Jesus' name. Amen.

## **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 17).

**HR 474 - ADOPTED****(by Alexander)**

Representative Alexander moved to suspend all necessary rules to take up and consider at this time **HR 474**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 474**, Recognizing March 7, 2001, as Freestone County Day at the State Capitol.

**HR 474** was read and was adopted without objection.

**HR 347 - ADOPTED****(by Alexander)**

Representative Alexander moved to suspend all necessary rules to take up and consider at this time **HR 347**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 347**, Honoring J. R. "Sonny" Sessions, Jr., of Kirvin on the occasion of his retirement as sheriff of Freestone County.

**HR 347** was read and was adopted without objection.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Alexander, who introduced J. R. "Sonny" Sessions, Jr., and his wife, Peggy.

**CAPITOL PHYSICIAN**

The speaker recognized Representative Kolkhorst who presented Dr. Henry J. Boehm of Brenham as the "Doctor for the Day."

The house welcomed Dr. Boehm and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

**HR 463 - ADOPTED****(by Miller)**

Representative Miller moved to suspend all necessary rules to take up and consider at this time **HR 463**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 463**, Congratulating the Gatesville High School Hornets football team on winning the 2000 UIL Class 3A Division I state title.

**HR 463** was read and was adopted without objection.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Miller, who introduced members of the 2000 UIL Class 3A Division I state championship Gatesville High School football team and their coaches.

#### **HR 413 - ADOPTED** (by Cook, et al.)

Representative Cook moved to suspend all necessary rules to take up and consider at this time **HR 413**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 413**, Recognizing March 7, 2001, as Star of Texas Fair and Rodeo Day at the State Capitol.

**HR 413** was read and was adopted without objection.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Cook, who introduced Agriculture Commissioner Susan Combs and officials from the Star of Texas Fair and Rodeo.

### MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

(Speaker pro tempore in the chair)

#### **HR 436 - ADOPTED** (by Miller)

Representative Miller moved to suspend all necessary rules to take up and consider at this time **HR 436**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 436**, Recognizing the Mitchell Collection of spurs and other memorabilia at the Coryell Museum and Historical Center in Gatesville.

(Speaker in the chair)

**HR 436** was read and was adopted without objection.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Miller, who introduced a delegation from Gatesville.

#### **HR 412 - ADOPTED** (by Cook)

Representative Cook moved to suspend all necessary rules to take up and consider at this time **HR 412**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 412**, Recognizing March 7, 2001, as Bastrop . . . Something for Everyone Day at the State Capitol.

**HR 412** was read and was adopted without objection.

**HR 417 - ADOPTED**  
**(by McReynolds)**

Representative McReynolds moved to suspend all necessary rules to take up and consider at this time **HR 417**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 417**, Recognizing March 7, 2001, as Pitser H. Garrison Day at the State Capitol.

**HR 417** was read and was adopted without objection.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative McReynolds, who introduced Pitser H. Garrison, his wife, and his family.

**HR 331 - ADOPTED**  
**(by B. Brown)**

Representative B. Brown moved to suspend all necessary rules to take up and consider at this time **HR 331**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 331**, Recognizing March 7, 2001, as Hunt County Day at the State Capitol.

(Solomons now present)

**HR 331** was read and was adopted without objection.

**HR 462 - ADOPTED**  
**(by Capelo)**

Representative Capelo moved to suspend all necessary rules to take up and consider at this time **HR 462**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 462**, Recognizing March 7, 2001, as Nurses' Day at the State Capitol.

**HR 462** was read and was adopted without objection.

On motion of Representative Noriega, the names of all the members of the house were added to **HR 462** as signers thereof.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Capelo, who introduced members of the Texas Nurses Association.

#### **HR 427 - ADOPTED** (by Chisum)

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **HR 427**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 427**, Recognizing March 7, 2001, as Panhandle Day at the State Capitol.

**HR 427** was read and was adopted without objection.

On motion of Representative Smithee, the names of all the members of the house were added to **HR 427** as signers thereof.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Dukes, who introduced members of the American Society of Mechanical Engineers team at The University of Texas at Austin.

**HR 296**, congratulating the American Society of Mechanical Engineers team from The University of Texas at Austin on its victory at the 2000 Rube Goldberg Machine contest, having been previously adopted, was read.

(G. Lewis now present)

#### **HR 308 - ADOPTED** (by J. Jones)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 308**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 308**, In memory of Fred L. Lander III of Dallas.

**HR 308** was unanimously adopted by a rising vote.

#### **HR 443 - ADOPTED** (by Kolkhorst)

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 443**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 443**, Honoring the 100th anniversary of the Nancy Carol Roberts Memorial Public Library in Brenham.

**HR 443** was read and was adopted without objection.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Kolkhorst, who introduced members of the Fortnightly Club and the librarian of the Nancy Carol Roberts Memorial Public Library.

#### **HR 447 - ADOPTED (by Morrison)**

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 447**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 447**, Recognizing March 7, 2001, as Victoria Day at the State Capitol.

**HR 447** was read and was adopted without objection.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Morrison, who introduced a delegation from Victoria.

#### **HR 458 - ADOPTED (by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 458**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 458**, Honoring Beatrice Omann of Alvin on being named Woman of Accomplishment for the year 2001 by the Women's Center of Brazoria County.

**HR 458** was adopted without objection.

#### **HR 243 - ADOPTED (by Farabee)**

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 243**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 243**, Honoring Katie Leonard of Burkburnett High School on being named to the UIL Class 4A All-State Cross Country Team.

**HR 243** was adopted without objection.

#### **HR 351 - ADOPTED (by Farabee)**

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 351**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 351**, Honoring Carla Morrow of Burkburnett for her outstanding service to her community.

**HR 351** was adopted without objection.

**HR 352 - ADOPTED**  
**(by Farabee)**

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 352**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 352**, Honoring Stan Owen of Burkburnett for his many contributions to his community.

**HR 352** was adopted without objection.

**HR 353 - ADOPTED**  
**(by Farabee)**

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 353**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 353**, Honoring Priscilla Van Dyke of Burkburnett for her dedication to her community.

**HR 353** was adopted without objection.

**HR 354 - ADOPTED**  
**(by Farabee)**

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 354**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 354**, Honoring Doug and Roy Cheney of Cheney Electric in Burkburnett for their civic contributions.

**HR 354** was adopted without objection.

**HR 355 - ADOPTED**  
**(by Farabee)**

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 355**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 355**, Honoring Gladys Beakley Plemmons of Wichita Falls on her 100th birthday.

**HR 355** was adopted without objection.

### **REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative Uher and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

### **STATEMENT BY REPRESENTATIVE D. JONES**

The secretary of commerce said yesterday that he was releasing the official census data. This does not mean that the Legislative Council or my committee has this data in hand today. We do not have numbers in hand yet. I have prepared a memo outlining what will occur immediately after receipt of this data. This memo will be put in your capitol post office box today.

D. Jones

### **GENERAL STATE CALENDAR HOUSE BILLS SECOND READING**

The following bills were laid before the house and read second time:

#### **HB 630 ON SECOND READING (by S. Turner)**

**HB 630**, A bill to be entitled An Act relating to the authority of a municipality to permit the use of unmarked automobiles by certain municipal code enforcement officers.

**HB 630** was passed to engrossment.

#### **HB 1127 ON SECOND READING (by Rangel)**

**HB 1127**, A bill to be entitled An Act relating to procedures governing employment contracts for faculty members at public institutions of higher education.

#### **Amendment No. 1**

Representative Uher offered the following amendment to **HB 1127**:

Amend **HB 1127** by striking the sentence that begins on page 2, line 25, and ends on page 3, line 3 (in proposed Section 51.943(d), Education Code).

Amendment No. 1 was adopted without objection.

**HB 1127**, as amended, was passed to engrossment. (Heflin, Howard, and Shields recorded voting no)

#### **CSHB 1362 ON SECOND READING (by Goodman, Williams, et al.)**

**CSHB 1362**, A bill to be entitled An Act relating to the regulation of dangerous wild animals; imposing civil and criminal penalties.



**Amendment No. 1**

Representative B. Brown offered the following amendment to **CSHB 1362**:

Amend **CSHB 1362** as follows:

(1) On page 4, strike lines 6-12, and substitute the following:

(7) an entity that holds a Class "C" exhibitor's license issued by the secretary of agriculture of the United States under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments;

(2) On page 7, line 10, strike "or Class "C" exhibitor's license".

(3) On page 12, line 12, strike "or a Class "C" exhibitor's license".

Representative Goodman moved to table Amendment No. 1.

The motion to table prevailed.

**Amendment No. 2**

Representative Chisum offered the following amendment to **CSHB 1362**:

Amend **CSHB 1362** as follows:

(1) On page 8, line 25, between "REGISTRATION." and "A", insert "(a)".

(2) On page 9, between lines 1 and 2, insert the following:

(b) Not later than the 10th day after the date a person receives a certificate of registration, the person shall file a clear and legible copy of the certificate of registration with the Texas Department of Health. The department shall establish a procedure for filing a certificate of registration and shall charge a reasonable fee in an amount sufficient to recover the cost associated with filing a certificate of registration under this subsection.

(3) On page 12, line 16, between "822.103(a)" and "or", insert ", Section 822.106,".

Amendment No. 2 was adopted without objection.

**Amendment No. 3**

Representative Tillery offered the following amendment to **CSHB 1362**:

Amend **CSHB 1362** as follows:

(1) On page 14, between lines 5 and 6, insert the following appropriately numbered sections to read as follows:

SECTION \_\_. Section 42.09, Penal Code, is amended by adding Subsection (f) to read as follows:

(f) It is a defense to prosecution for an offense under this section that the person had a reasonable fear of bodily injury to the person or to another by a dangerous wild animal as defined by Section 822.101, Health and Safety Code.

SECTION \_\_. Section 42.01, Penal Code, is amended by adding Subsection (e) to read as follows:

(e) It is a defense to prosecution for an offense under Subsection (a)(9) or (11) that the person who discharged the firearm had a reasonable fear of bodily injury to the person or to another by a dangerous wild animal as defined by Section 822.101, Health and Safety Code.

(2) Renumber the sections of the bill appropriately.

Amendment No. 3 was adopted without objection.

**CSHB 1362**, as amended, was passed to engrossment. (Heflin and B. Turner recorded voting no.)

**HB 499 ON SECOND READING**

(by Swinford, McReynolds, B. Turner, Cook, Hardcastle, et al.)

**HB 499**, A bill to be entitled An Act relating to agricultural policy for the state.

Representative Swinford moved to postpone consideration of **HB 499** until 10 a.m. Wednesday, March 21.

The motion prevailed without objection.

**HB 453 ON SECOND READING**

(by Swinford, McReynolds, B. Turner, Cook, Hardcastle, et al.)

**HB 453**, A bill to be entitled An Act relating to the creation of the Agriculture Policy Board.

**Amendment No. 1**

Representative Burnam offered the following amendment to **HB 453**:

Amend **HB 453** as follows:

- (1) On page 3, line 1, between "board" and "create", strike "may" and insert "shall".
- (2) On page 1, line 10, between "efficient" and "use" insert "and sustainable".

Amendment No. 1 was adopted without objection.

**HB 453**, as amended, was passed to engrossment.

**HB 102 ON SECOND READING**

(by Maxey, Wohlgenuth, Danburg, Naishtat, Villarreal, et al.)

**HB 102**, A bill to be entitled An Act relating to abolishing the electronic imaging program of the Texas Department of Human Services.

**HB 102** was passed to engrossment. (Heflin and Howard recorded voting no.)

**HR 304 - ADOPTED**

(by Walker)

Representative Walker moved to suspend all necessary rules to take up and consider at this time **HR 304**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 304**, In memory of A. Wayne Wyatt of Lubbock.

**HR 304** was read and was unanimously adopted by a rising vote.

On motion of Representatives Uher, Dutton, Counts, and Geren, the names of all the members of the house were added to **HR 304** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Counts, who introduced the family

of A. Wayne Wyatt.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Goolsby requested permission for the Committee on House Administration to meet while the house is in session.

Permission to meet was granted without objection.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

House Administration, 12:29 p.m. today, speakers committee room, for a formal meeting.

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Menendez in the chair)

### **ADJOURNMENT**

Representative Kolkhorst moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 12:46 p.m., adjourned until 10 a.m. tomorrow.

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### **ADDENDUM**

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#### **REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

#### **List No. 1**

**HB 2502** (By R. Lewis), Relating to the posting by an appraisal district of appraisal rolls on the Internet.

To Ways & Means.

**HB 2503** (By Homer), Relating to a career development center's assessment of the job skills of certain persons.

To Economic Development.

**HB 2504** (By Danburg), Relating to clarifying certain provisions of the law regulating political funds and campaigns.

To Elections.

**HB 2505** (By Danburg), Relating to the "price to beat" for residential and small commercial electricity customers.

To State Affairs.

**HB 2506** (By Danburg), Relating to the authority of local governments to purchase electricity and energy services on behalf of citizens.

To State Affairs.

**HB 2507** (By Danburg), Relating to the procedures for establishing the provider of last resort in utility service areas.

To State Affairs.

**HB 2508** (By Danburg), Relating to the issuance of Texas Urban Forestry Council license plates.

To Transportation.

**HB 2509** (By Danburg), Relating to certain election processes and procedures.

To Elections.

**HB 2510** (By Chavez, D. Jones, P. Moreno, Haggerty, and Najera), Relating to the establishment of a diabetes research center at the Texas Tech University campus in El Paso.

To Higher Education.

**HB 2511** (By Chavez), Relating to court-ordered health coverage of a child by a noncustodial parent.

To Juvenile Justice & Family Issues.

**HB 2512** (By Coleman), Relating to landscaping and billboards along highways; imposing a civil penalty.

To Transportation.

**HB 2513** (By Coleman), Relating to the Teach for Texas grant program and the Teach for Texas alternative certification program.

To Higher Education.

**HB 2514** (By Garcia), Relating to the grade point average of and imposition of a fee on a student who repeats a course at a public institution of higher education.

To Higher Education.

**HB 2515** (By Garcia), Relating to juror questioning of witnesses in capital cases.

To Criminal Jurisprudence.

**HB 2516** (By Garcia), Relating to the powers and rights of a cultural educational facilities finance corporation.

To County Affairs.

**HB 2517** (By Garcia), Relating to the prosecution of the offense of failure to identify.

To Criminal Jurisprudence.

**HB 2518** (By Kuempel), Relating to the issuance of certain permits for the emission of air contaminants.

To Environmental Regulation.

**HB 2519** (By Craddick), Relating to the licensing and regulation of certain electricians; providing a criminal penalty.

To State Affairs.

**HB 2520** (By Craddick), Relating to the operation of certain vehicles transporting agricultural items on highways in this state.

To Transportation.

**HB 2521** (By Wilson), Relating to the establishment of a medical school at Prairie View A&M University.

To Higher Education.

**HB 2522** (By Wilson), Relating to requiring the Texas Department of Transportation to establish and maintain a state airport in Central Texas.

To Transportation.

**HB 2523** (By Wilson), Relating to the powers and duties of the State Investment Commission.

To State Affairs.

**HB 2524** (By Hope), Relating to a transcript of a plea or waiver by broadcast by closed circuit video teleconferencing.

To Criminal Jurisprudence.

**HB 2525** (By Junell), Relating to the operation of the Mitchell County Hospital District.

To County Affairs.

**HB 2526** (By Junell), Relating to political activity of and political contributions made by certain persons to members of or candidates for the State Board of Education.

To State Affairs.

**HB 2527** (By Junell), Relating to certificates of insurance used to evidence the existence of workers' compensation insurance coverage.

To Business & Industry.

**HB 2528** (By Junell), Relating to development and management of an electronic procurement system for state and local government.

To State Affairs.

**HB 2529** (By Junell), Relating to the ratification of the creation of and to the administration, powers, duties, operation, taxing authority, and financing of the Lone Wolf Groundwater Conservation District.

To Natural Resources.

**HB 2530** (By Junell), Relating to certain prohibitions applicable to a person offering a sweepstakes; providing a civil penalty.

To Business & Industry.

**HB 2531** (By Junell), Relating to tuition rates at public institutions of higher education.

To Higher Education.

**HB 2532** (By McReynolds and Hopson), Relating to the water rights permit for the proposed Lake Eastex water supply reservoir project.

To Natural Resources.

**HB 2533** (By F. Brown), Relating to the jurisdiction of the 85th, 272nd, and 361st District Courts in Brazos County.

To Judicial Affairs.

**HB 2534** (By F. Brown), Relating to the appointment and duties of magistrates for certain courts of Brazos County.

To Judicial Affairs.

**HB 2535** (By Maxey), Relating to the use of single-use surgical devices; providing a penalty.

To Public Health.

**HB 2536** (By Maxey), Relating to the definition of a disciplinary action against a police officer.

To Urban Affairs.

**HB 2537** (By Eiland), Relating to the recovery of exemplary damages by the surviving spouse or heirs of the body of a deceased employee.

To Civil Practices.

**HB 2538** (By Walker and Denny), Relating to the regulation of aggregate quarries; providing for an administrative penalty.

To Land & Resource Management.

**HB 2539** (By Howard), Relating to lobbyist registration.

To State Affairs.

**HB 2540** (By Farrar), Relating to the location of certain correctional and rehabilitation facilities.

To Corrections.

**HB 2541** (By Coleman), Relating to the state Medicaid program.

To Public Health.

**HB 2542** (By Hawley), Relating to the advisory committee for the Center for Rural Health Initiatives.

To Public Health.

**HB 2543** (By Naishtat), Relating to the establishment of a pilot program to provide child-care intervention services for certain children with severe behavioral problems.

To Human Services.

**HB 2544** (By Naishtat), Relating to the acquisition and disposition of land or another real property interest by a political subdivision.

To Land & Resource Management.

**HB 2545** (By Naishtat), Relating to the execution of certain writs in an action to determine possession of certain leased premises.

To Business & Industry.

**HB 2546** (By Dutton), Relating to sanctions imposed on low-performing

public schools.

To Public Education.

**HB 2547** (By Dutton), Relating to an exemption from or refund of tuition and fees for certain lower-division students enrolled at Texas Southern University and Prairie View A&M University.

To Higher Education.

**HB 2548** (By Dutton), Relating to the regulation of automobile insurance rates.

To Insurance.

**HB 2549** (By Uher), Relating to the creation of a privilege for optometric records and communications with an optometrist or therapeutic optometrist and to the availability of optometric records.

To Public Health.

**HB 2550** (By Uher), Relating to the application of the child support guidelines to certain children receiving social security old age benefits.

To Juvenile Justice & Family Issues.

**HB 2551** (By Uher), Relating to an exemption from ad valorem taxation of boats and other equipment used primarily in the commercial taking or production of fish, shrimp, shellfish, and other marine life as food for human consumption.

To Ways & Means.

**HB 2552** (By Uher), Relating to the electric utility that operates a nuclear safety asset and the payment of the nuclear safety fee.

To State Affairs.

**HB 2553** (By Uher), Relating to repayment assistance for certain law school loans of attorneys employed by district or county attorney's offices in rural counties.

To Higher Education.

**HB 2554** (By Uher), Relating to the transfer of a court's continuing jurisdiction in a suit affecting the parent-child relationship.

To Juvenile Justice & Family Issues.

**HB 2555** (By Eiland), Relating to the privacy of certain information provided by consumers to insurers and other related entities; providing penalties.

To Insurance.

**HB 2556** (By Williams), Relating to the sales and use tax exemption for information services and data processing services.

To Ways & Means.

**HB 2557** (By E. Jones), Relating to the payment of certain judgments.

To Civil Practices.

**HB 2558** (By Maxey), Relating to the amount of the fees established by the Texas State Board of Medical Examiners.

To Public Health.

**HB 2559** (By E. Jones), Relating to the jurisdiction of a municipal

court.

To Judicial Affairs.

**HB 2560** (By Dunnam), Relating to the imposition of community supervision on a defendant convicted of a state jail felony.

To Criminal Jurisprudence.

**HB 2561** (By Dunnam), Relating to creating the criminal offense of misapplication of the property of a charter school.

To Criminal Jurisprudence.

**HB 2562** (By Dunnam), Relating to the adoption of rules of civil procedure by the supreme court.

To Judicial Affairs.

**HB 2563** (By Dunnam), Relating to the requirement that certain facilities that sell motor vehicle fuel provide air and water for motor vehicles; providing a criminal penalty.

To Business & Industry.

**HB 2564** (By Dunnam), Relating to school finance issues involving amounts withheld from special allotments under the Foundation School Program.

To Public Education.

**HB 2565** (By Dunnam), Relating to the funding under the foundation school program of certain special instructional arrangements for students with disabilities.

To Public Education.

**HB 2566** (By Dunnam), Relating to certain requirements for the appeal of a hearing officer's decision in a workers' compensation proceeding.

To Business & Industry.

**HB 2567** (By Hinojosa), Relating to the creation of the offense of extortion.

To Criminal Jurisprudence.

**HB 2568** (By Hinojosa), Relating to the unlawful possession of a firearm by a felon.

To Criminal Jurisprudence.

**HB 2569** (By Hochberg), Relating to the requirements of pawnbrokers concerning reporting information and handling property involved in a law enforcement investigation.

To Financial Institutions.

**HB 2570** (By Olivo), Relating to alternative criteria for promotion to certain grade levels in public school.

To Public Education.

**HB 2571** (By McReynolds), Relating to the creation, administration, powers, duties, operation, and financing of the Angelina County Water Control and Improvement District No. 4; authorizing the imposition of taxes and the



issuance of bonds and granting the power of eminent domain; providing a civil penalty.

To Natural Resources.

**HB 2572** (By McReynolds and Christian), Relating to the creation, administration, powers, duties, operations, and financing of the Pineywoods Groundwater Conservation District.

To Natural Resources.

**HB 2573** (By Noriega and J. Davis), Relating to advertising effecting a port authority.

To Transportation.

**HB 2574** (By Solis), Relating to the establishment of a community health center revolving loan fund program.

To Public Health.

**HB 2575** (By Goolsby), Relating to the total amount of student services fees that may be charged at certain institutions of higher education.

To Higher Education.

**HB 2576** (By Giddings), Relating to application procedures under adult education programs administered by the Texas Education Agency.

To Public Education.

**HB 2577** (By Haggerty), Relating to records retained for taxation purposes by alcoholic beverage permittees.

To Licensing & Administrative Procedures.

**HB 2578** (By Haggerty), Relating to the subpoena and investigative authority of the Texas Lottery Commission for the regulation of bingo.

To Licensing & Administrative Procedures.

**HB 2579** (By R. Lewis), Relating to annexation and incorporation procedures relating to certain unincorporated communities in certain counties.

To Land & Resource Management.

**HB 2580** (By Bosse), Relating to establishing the enforcement of land use restrictions as a governmental function of a municipality.

To Civil Practices.

**HB 2581** (By Shields), Relating to certain subdivision improvements and the bond requirements for certain subdivision improvements.

To Land & Resource Management.

**HB 2582** (By Chavez), Relating to customs brokers.

To Ways & Means.

**HB 2583** (By Chavez), Relating to AIDS, HIV, and hepatitis education and testing for inmates and employees of the Texas Department of Criminal Justice.

To Corrections.

**HB 2584** (By Chavez), Relating to a commission to study geriatrics as a requisite for medical school graduation.

To Higher Education.

**HB 2585** (By Chavez), Relating to motorcycle operator and passenger safety.

To Public Safety.

**HB 2586** (By Swinford), Relating to the regulation of public grain warehouse operators; providing penalties.

To Agriculture & Livestock.

**HB 2587** (By Counts), Relating to zoning in Kent County around Lake Alan Henry.

To Land & Resource Management.

**HB 2588** (By Counts), Relating to the consideration of potential water savings under a water conservation plan in determining the manner of distributing water during a shortage from a water supply covered by a plan.

To Natural Resources.

**HB 2589** (By Hochberg), Relating to the required posting of information on a state agency's Internet site, and providing an exemption to open records requirements.

To State Affairs.

**HB 2590** (By Ehrhardt), Relating to employment discrimination by school districts.

To Public Education.

**HB 2591** (By J. Davis), Relating to the requirement that a parent provide certain information to the other parent of the child; providing a penalty.

To Juvenile Justice & Family Issues.

**HB 2592** (By J. Davis), Relating to fee agreements between attorneys and property owners' associations.

To Licensing & Administrative Procedures.

**HB 2593** (By Chavez), Relating to the establishment of a pilot program by the Texas Workforce Commission for technology training for certain persons.

To Economic Development.

**HB 2594** (By Chavez), Relating to electronic access to health and human services information.

To Human Services.

**HB 2595** (By Chavez), Relating to a one-stop online service for new businesses.

To State Affairs.

**HB 2596** (By Chavez), Relating to the use of development corporations to improve local telecommunications infrastructure.

To Economic Development.

**HB 2597** (By Chavez), Relating to a study by the Texas Workforce Commission of fraud in the unemployment insurance system.

To Economic Development.

**HB 2598** (By Chavez), Relating to establishing a telecommuting policy for state agencies.

To State Affairs.

**HB 2599** (By Chavez), Relating to electronic filing of certain tax reports and payments.

To Ways & Means.

**HB 2600** (By Brimer), Relating to medical and income benefits, return to work coordination, and regulation of doctors and insurance carriers under the workers' compensation system.

To Business & Industry.

**HCR 192** (By Goolsby), Authorizing the lieutenant governor and the speaker of the house of representatives to appoint interim joint committees.

To House Administration.

**HCR 193** (By Krusee), Directing TxDOT to release land originally obtained for SH130 right-of-way to Williamson County and the City of Round Rock to use for transportation projects.

To Transportation.

**HCR 195** (By Berman), Honoring Louise H. Ornelas of Tyler for her philanthropy.

To Rules & Resolutions.

**HJR 76** (By Homer), Proposing a constitutional amendment to shorten the period during which the former owner of real property sold at an ad valorem tax sale may redeem the property.

To Ways & Means.

**HJR 77** (By Wilson), Proposing a constitutional amendment to restore the traditional prudent person standard for investment of the permanent university fund.

To Pensions & Investments.

**HJR 78** (By Wilson), Proposing a constitutional amendment to provide an equitable distribution of the income from the permanent university fund for the support and maintenance of Prairie View A&M University.

To Appropriations.

**HJR 79** (By Howard), Proposing a constitutional amendment to limit the time that a person may serve in legislative office or in certain elective executive offices.

To State Affairs.

**HJR 80** (By Uher), Proposing a constitutional amendment to exempt from ad valorem taxation boats and other equipment used primarily in the commercial taking or production of fish, shrimp, shellfish, or other marine life as food for human consumption.

To Ways & Means.

**HJR 81** (By Counts), Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board.

To Financial Institutions.

**HR 442** (By Chavez), Memorializing congress to urge the EPA to redesignate El Paso from a nonattainment area to an attainment area.

To Environmental Regulation.

**HR 459** (By Dutton), In memory of Dr. Marion George Ford, Jr., of Houston.

To Rules & Resolutions.

**HR 460** (By A. Reyna), Congratulating Becky Mendez for receiving a Milken Educator Award.

To Rules & Resolutions.

**HR 461** (By Geren), Congratulating the Castleberry High School Marching Band of River Oaks for its outstanding accomplishments.

To Rules & Resolutions.

**HR 464** (By Grusendorf), Recognizing May 7, 2001, as Clinical Nutrition Day in Texas.

To Rules & Resolutions.

**HR 465** (By Truitt), Honoring the members of Leadership Greater Keller for their community involvement.

To Rules & Resolutions.

**HR 466** (By Kuempel), Honoring Robbie Hetherington of San Marcos for his myriad achievements.

To Rules & Resolutions.

**HR 467** (By Keffer), Honoring Neal Robert Moore of Cisco on the occasion of his 100th birthday.

To Rules & Resolutions.

**HR 468** (By Oliveira), Honoring Bruce Aiken of Brownsville for his lifetime of accomplishments.

To Rules & Resolutions.

**HR 469** (By Delisi), In memory of Eunice A. Sommer of Temple.

To Rules & Resolutions.

**HR 470** (By Delisi), In memory of William Lee Zabcik of Zabcikville.

To Rules & Resolutions.

**HR 471** (By Delisi), Recognizing the Farmers Mutual Protective Association of Texas Insurance Group on its 100th anniversary.

To Rules & Resolutions.

**HR 473** (By Carter), In memory of Albert J. "Al" Stover of Bedford.

To Rules & Resolutions.

**SB 15** to State Affairs.

**SB 17** to Criminal Jurisprudence.

**SB 18** to Criminal Jurisprudence.

**SB 45** to Human Services.

**SB 125** to Urban Affairs.

**SB 133** to Criminal Jurisprudence.

**SB 148** to Public Safety.

**SB 175** to Transportation.

**SB 183** to Transportation.  
**SB 186** to Insurance.  
**SB 188** to State Affairs.  
**SB 189** to Public Education.  
**SB 194** to Judicial Affairs.  
**SB 250** to Judicial Affairs.  
**SB 258** to Transportation.  
**SB 279** to Public Health.  
**SB 332** to Public Health.  
**SB 335** to County Affairs.  
**SB 342** to Transportation.  
**SB 352** to Environmental Regulation.  
**SB 356** to Environmental Regulation.  
**SB 370** to Criminal Jurisprudence.  
**SB 395** to Judicial Affairs.  
**SB 403** to Public Education.  
**SB 407** to Transportation.  
**SB 409** to Transportation.  
**SB 414** to Insurance.  
**SB 433** to Business & Industry.  
**SB 466** to Insurance.  
**SB 484** to Licensing & Administrative Procedures.  
**SB 588** to County Affairs.  
**SB 611** to Natural Resources.  
**SB 670** to Natural Resources.  
**SB 689** to Environmental Regulation.  
**SCR 10** to State, Federal & International Relations.  
**SCR 24** to Public Education.  
**SCR 25** to Transportation.  
**SJR 12** to Transportation.

**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 17**

**HCR 189**

**MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Wednesday, March 7, 2001

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

**THE SENATE HAS PASSED THE FOLLOWING MEASURES:**

**HCR 143**            Berman                      SPONSOR: Sibley  
Designating March 5-6, 2001, as Tyler Days at the State Capitol.

**HCR 183**            Kitchen                      SPONSOR: Barrientos  
Honoring the National Board Certified Teachers in Texas and school districts that support the National Board for Professional Teaching Standards program.

**SB 78**                Haywood  
Relating to the liability of certain local chambers of commerce.

**SB 113**              Moncrief  
Relating to vehicle passenger safety systems; providing criminal penalties.

**SB 157**              Truan  
Relating to the form of a proposal guaranty for a contract of the Texas Department of Transportation.

**SB 220**              Shapiro  
Relating to the regulation and enforcement of weight limitations and safety standards for certain motor vehicles; providing penalties.

**SB 236**              Harris  
Relating to court-ordered medical support for certain children.

**SB 517**              Lucio  
Relating to authorizing counties to regulate land development; providing a penalty.

**SB 559**              Madla  
Relating to the application of the open meetings law to certain committees, subcommittees, and similar entities that are created by the governing body of a municipality.

**SB 565**              Armbrister  
Relating to security for public securities issued by governmental entities.

Respectfully,

Betty King  
Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**March 6**

County Affairs - **HB 83, HB 351, HB 489, HB 521, HB 884, HB 987, HB 1299**

Criminal Jurisprudence - **SB 3**

Economic Development - **HB 323, HB 476, HB 533, HB 935, HB 936**

Judicial Affairs - **HB 808, HB 1083, HB 1112, HB 1131, HB 1459**

Land & Resource Management - **HB 1402, HJR 53**

Natural Resources - **HB 742, HB 1062, HB 1504**

State Affairs - **SB 170**

**ENROLLED**

**March 6 - HCR 189**

**SENT TO THE GOVERNOR**

**March 6 - HCR 187**

